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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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GUILLERMO TRUJILLO CRUZ,

Case No. 2:18-cv-00693-RFB-VCF

Plaintiff,

ORDER

v.

B. SMITH, *et al.*,

Defendants.

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of Kern Valley State Prison, has filed an application to proceed *in forma pauperis* and has submitted an affidavit with exhibits. (ECF No. 1, 1-1). Plaintiff has not filed a complaint in this matter.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. Therefore, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court. The Court will defer a decision on the application to proceed *in forma pauperis* until Plaintiff submits a proper initiating document for this case.

**II. CONCLUSION**

For the foregoing reasons, IT IS ORDERED that a decision on the application to proceed *in forma pauperis* (ECF No. 1) is deferred.

1 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court  
2 within thirty (30) days from the date of this order.

3 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
4 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The  
5 Clerk of the Court shall also send Plaintiff a copy of his affidavit and exhibits (ECF No. 1-  
6 1).

7 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
8 dismissal of this action may result.

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10 DATED THIS 19<sup>th</sup> day of April 2018.

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13 UNITED STATES MAGISTRATE JUDGE  
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